REMARKS

Applicant respectfully requests reconsideration of this application. No claims have been amended. Claims 10 and 14 have been previously cancelled. No new claims have been added. Therefore, claims 1-9, 11-13 and 15-16 are presented for examination.

35 U.S.C. § 103 Rejection

Claims 1-9, 11-13 and 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McCollum, U.S. Patent No. 6,427,168 ("McCollum") in view of "SmartCIM™ to DMI Mapper" ("Smart")

Applicants respectfully submit that McCollum discloses "a method . . . that enables performance monitoring while using a centralized information source model such as CIM." (col. 2, lines 6-8). The CIM interacts with a CIMOM, and "the CIMOM . . . *acts as proxy on behalf of a client process requests.*" (col. 5, lines 35-38; emphasis provided). "[T]hrough the CIMOM, *client processes are relieved of the burden of locating and directly managing a multitude of devices on the network.* Instead, the CIMOM hides the management complexity by distributing the request to the appropriate providers." (col. 5, lines 61-65; emphasis provided).

Smart discloses that a "SmartDMI to CIM Mapper allows CIM management applications *to operate on DMI instrumented platforms.*" (page 1, lines 15-17; emphasis provided). Smart further discloses that a feature of the SmartCIM to DMI mapper is "*react[ing] to various indications* both from the DMI and CIM responding to the removal of a mapping component or group from the DMI database." (page 2; emphasis provided).

In contrast, claim 1, in pertinent part, recites "[a] CIM/DMI provider to . . . receive events from the DMI service provider, receive interrupts from the proxy CIMOM,

receive information from both the proxy CIMOM and the DMI service provider."
(emphasis provided). The Examiner is respectfully directed at the Federal district court
case of In Re Bond which states that every element of the claimed invention must be
identically shown. (In Re Bond, 910 F.2d 831, 15 USPQ.2d 1566 (Fed. Cir. 1990).
Applicants respectfully submit that the references fail to shown every element of claim 1.
Specifically, the Examiner relies on Smart at page 2, which recites that the SmartCIM to
DMI mapper "reacts to various interaction" as disclosing "receiv[ing] events from the
DMI service provider, receiv[ing] interrupts from the proxy CIMOM, [and] receiv[ing]
information from both the proxy CIMOM and the DMI service provider" as recited by
claim 1. (emphasis provided). However, reacting to various interactions is not
equivalent to receiving events, interrupts and/or information, as in claim 1. Accordingly,
Applicants respectfully submit that the Examiner has failed to show every element of
claim 1 in the references.

In addition, neither Smart nor McCollum disclose that a CIM/DMI provider is to
"translate the interrupts, the events, and the information into a format suitable for an
intended recipient, wherein the intended recipient is the CIM client applications and the
DMI component instrumentations" as recited by claim 1. (emphasis provided). Both
Smart and McCollum only disclose translation from CIM to DMI and not the other way
around. Accordingly, for at least the reasons stated above, Applicants respectfully
request that the rejection of claim 1 and its dependent claims be withdrawn.

Claims 9 and 13 contain limitations similar to those of claims 1. Accordingly,
Applicants respectfully request the withdrawal of the rejection of claims 9 and 13 and
their dependent claims.

Claims 1-9, 11-13 and 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smart in view of Muhlstein, et al., U.S. Patent Publication No. 2002/0004815 ("Muhlstein").

Muhlstein discloses "[a] method for providing instrumentation to instrumentation data source from within a managed code environment." Nonetheless, for similar reasons stated above with respect to claim 1, Applicants respectfully request that the rejection of claim 1 and its dependent claims be withdrawn.

Claims 9 and 13 contain limitations similar to those of claims 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 9 and 13 and their dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.
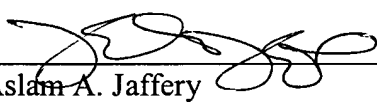
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: __October 10, 2006__   _____

Aslam A. Jaffery
Reg. No. 51,841

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980